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## The Law Offices of Mikio Ishimaru

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**Fax**

To: Mail Stop AF  
Examiner Sindya  
Narayanaswamy

From: Mikio Ishimaru

Fax: (703) 872-9306  
TC 2174 - After Final

Pages: 3, including this page

Phone: (703) 305-8473

Date: December 14, 2004

Re: U.S. Patent Application Serial CC:  
No. 09/545,394

☒ Notice of Appeal**IMPORTANT**

The information contained in this facsimile is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone, and return the original message to us at the address above via the U.S. Postal Service. Thank you.

For confirmation or assistance, call (408) 738-0592

Dear Examiner Narayanaswamy:

Attached is a Notice of Appeal with a duplicate copy in response to <sup>1)</sup> the Final Office Action mailed July 14, 2004, and <sup>2)</sup> the Advisory Action mailed November 19, 2004, for U.S. Patent Application Serial No. 09/545,394 (attorney docket no. 10992635-1).

The one-month extension fee was calculated from the expiration date of the shortened statutory period for reply, which was the mailing date of the Advisory Action (November 19, 2004).

Respectfully submitted,



Mikio Ishimaru  
Reg. No. 27,449

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

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CENTRAL FAX NUMBER

DEC 14 2004

PATENT APPLICATION

ATTORNEY DOCKET NO. 10992635-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Preeti N. Bhoj et al.

Confirmation No.: 2447

Application No.: 09/545,394

Examiner: S. Narayanaswamy

Filing Date: 4/7/2000

Group Art Unit: 2174

Title: AN ADAPTIVE ADMISSION CONTROL SYSTEM FOR A SERVER APPLICATION SYSTEM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, Jul 14, 2004, rejecting the following claims 1-18.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

(X) one month	\$120.00
( ) two months	\$430.00
( ) three months	\$980.00
( ) four months	\$1530.00

( ) The extension fee has already been filed in this application.

( ) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account **08-2025** under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: \_\_\_\_\_

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-8308 on Dec 14, 2004

Number of pages: 2

Typed Name: Vickie Ishimaru

Signature: Vickie Ishimaru

Respectfully submitted,

Preeti N. Bhoj et al.

By Mikio Ishimaru

Mikio Ishimaru

Attorney/Agent for Applicant(s)

Reg. No. 27,449

Date: Dec. 14, 2004

Telephone No.: (408) 738-0592

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Typed Name: Vickie Ishimaru

Signature: Vickie Ishimaru

Respectfully submitted,

Preeti N. Bhoj et al.

By Mikio Ishimaru

Mikio Ishimaru

Attorney/Agent for Applicant(s)

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Telephone No.: (408) 738-0582